

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

BACKPAGE.COM, LLC,

Plaintiff,

v.

ROB MCKENNA, Attorney General of the
State of Washington; RANDY J. FLYCKT,
Adams County Prosecuting Attorney;
BENJAMIN C. NICHOLS, Asotin County
Prosecuting Attorney; ANDREW K. MILLER,
Benton County Prosecuting Attorney; GARY
A. RIESEN, Chelan County Prosecuting
Attorney; DEBORAH S. KELLY, Clallam
County Prosecuting Attorney; ANTHONY F.
GOLIK, Clark County Prosecuting Attorney;
REA L. CULWELL, Columbia County
Prosecuting Attorney; SUSAN I. BAUR,
Cowlitz County Prosecuting Attorney;
STEVEN M. CLEM, Douglas County
Prosecuting Attorney; MICHAEL SANDONA,
Ferry County Prosecuting Attorney; SHAWN P.
SANT, Franklin County Prosecuting Attorney;
MATTHEW L. NEWBERG, Garfield County
Prosecuting Attorney; ANGUS LEE, Grant
County Prosecuting Attorney; H. STEWARD
MENEFEE, Grays Harbor County Prosecuting
Attorney;

(Continued on Page 2)

No. 2:12-cv-954

DECLARATION OF AMBIKA
K. DORAN IN SUPPORT OF
BACKPAGE.COM'S MOTION
FOR TEMPORARY
RESTRAINING ORDER AND
PRELIMINARY INJUNCTION

(Continued from Page 1)

1 GREGORY M. BANKS, Island County)
 2 Prosecuting Attorney; SCOTT W.)
 3 ROSEKRANS, Jefferson County Prosecuting)
 4 Attorney; DAN SATTERBERG, King County)
 5 Prosecuting Attorney; RUSSELL D. HAUGE,)
 6 Kitsap County Prosecuting Attorney;)
 7 GREGORY L. ZEMPEL, Kittitas County)
 8 Prosecuting Attorney; LORI L. HOCTOR,)
 9 Klickitat County Prosecuting Attorney;)
 10 JONATHAN L. MEYER, Lewis County)
 11 Prosecuting Attorney; JEFFREY S.)
 12 BARKDULL, Lincoln County Prosecuting)
 13 Attorney; MICHAEL K. DORCY, Mason)
 14 County Prosecuting Attorney; KARL F.)
 15 SLOAN, Okanogan County Prosecuting)
 16 Attorney; DAVID J. BURKE, Pacific County)
 17 Prosecuting Attorney; THOMAS A.)
 18 METZGER, Pend Oreille County Prosecuting)
 19 Attorney; MARK LINDQUIST, Pierce)
 20 County Prosecuting Attorney; RANDALL K.)
 21 GAYLORD, San Juan County Prosecuting)
 22 Attorney; RICHARD WEYRICH, Skagit)
 23 County Prosecuting Attorney; ADAM N.)
 24 KICK, Skamania County Prosecuting)
 25 Attorney; MARK K. ROE, Snohomish)
 26 County Prosecuting Attorney; STEVEN J.)
 27 TUCKER, Spokane County Prosecuting)
 Attorney; TIMOTHY D. RASMUSSEN,)
 Stevens County Prosecuting Attorney; JON)
 TUNHEIM, Thurston County Prosecuting)
 Attorney; DANIEL H. BIGELOW,)
 Wahkiakum County Prosecuting Attorney;)
 JAMES L. NAGLE, Walla Walla County)
 Prosecuting Attorney; DAVID S.)
 McEACHRAN, Whatcom County)
 Prosecuting Attorney; DENIS P. TRACY,)
 Whitman County Prosecuting Attorney;)
 JAMES P. HAGARTY, Yakima County)
 Prosecuting Attorney,)
 Defendants, in their)
 official capacities.)
 _____)

1 I, Ambika K. Doran, declare and state as follows:

2 1. I am an attorney with the law firm Davis Wright Tremaine LLP, counsel for
3 plaintiff Backpage.com, LLC ("Backpage.com") in this action. I have personal knowledge
4 of the matters set forth in this declaration and am competent to testify to them.

5 2. On June 4, 2012, co-counsel Jim Grant and I notified the defendants that
6 Backpage.com intended to file a Motion for Temporary Restraining Order. Attached as
7 **EXHIBIT A** is a true and correct copy of the email we sent them without its attachments.

8 3. Attached hereto as **EXHIBIT B** is a true and correct copy of a Joint
9 Statement, available at .

10 4. Attached hereto as **EXHIBIT C** is a true and correct copy of a craigslist blog
11 post, available at <http://blog.craigslist.org/2009/05/striking-a-new-balance/>. The exhibit
12 omits those pages comprising comments to the post.

13 5. Attached hereto as **EXHIBIT D** is a true and correct copy of an August 24,
14 2010, KING-5 news report entitled "Wash. not one of state AGs demanding Craigslist drop
15 adult services," available at [http://www.king5.com/news/consumer/State-AGs-demanding-](http://www.king5.com/news/consumer/State-AGs-demanding-that-Craigslist-drop-adult-services-101396154.html)
16 [that-Craigslist-drop-adult-services-101396154.html](http://www.king5.com/news/consumer/State-AGs-demanding-that-Craigslist-drop-adult-services-101396154.html). The exhibit omits those pages
17 comprising comments to the report.

18 6. Attached hereto as **EXHIBIT E** is a true and correct copy of a September 16,
19 2010 New York Times article entitled "Craigslist Says It Has Shut Down Its Section for
20 Sex Ads," available at
21 http://www.nytimes.com/2010/09/16/business/16craigslist.html?_r=1&scp=1&sq=craigslist
22 [+escort+ad&st=nyt](http://www.nytimes.com/2010/09/16/business/16craigslist.html?_r=1&scp=1&sq=craigslist).

23 7. Attached hereto as **EXHIBIT F** is a true and correct copy of a September 21,
24 2010 letter from various attorneys' general to Backpage.com's counsel, available at
25 http://www.illinoisattorneygeneral.gov/pressroom/2010_09/Backpage_com9-20-2010.pdf.
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1 8. Attached hereto as **EXHIBIT G** is a true and correct copy of a press release
2 from the Washington Office of the Attorney General, available at
3 <http://www.atg.wa.gov/pressrelease.aspx?&id=28896>.

4 9. Attached hereto as **EXHIBIT H** is a true and correct copy of an editorial on
5 Rob McKenna's gubernatorial candidacy website, available at
6 [http://www.robmckenna.org/newsitem/it%E2%80%99s-uphill-fight-officials-right-go-after-](http://www.robmckenna.org/newsitem/it%E2%80%99s-uphill-fight-officials-right-go-after-backpagecom)
7 [backpagecom](http://www.robmckenna.org/newsitem/it%E2%80%99s-uphill-fight-officials-right-go-after-backpagecom).

8 10. Attached hereto as **EXHIBIT I** is a true and correct copy of a printout from
9 the Washington legislature website showing the history of Senate Bill 6251 in the 2011-
10 2012 session, available at <http://apps.leg.wa.gov/billinfo/summary.aspx?bill=6251>.

11 11. Attached hereto as **EXHIBIT J** is a true and correct copy of an April 4, 2012
12 Publicola article entitled "Sen. Kohl-Welles: 'I think we Came Up With the Best Language
13 We Could' on Backpage Law," available at [http://publicola.com/2012/04/04/sen-kohl-](http://publicola.com/2012/04/04/sen-kohl-welles-i-think-we-came-up-with-the-best-language-we-could-on-backpage-law/)
14 [welles-i-think-we-came-up-with-the-best-language-we-could-on-backpage-law/](http://publicola.com/2012/04/04/sen-kohl-welles-i-think-we-came-up-with-the-best-language-we-could-on-backpage-law/). The
15 exhibit omits those pages comprising comments to the article.

16 12. Attached hereto as **EXHIBIT K** is a true and correct copy of the initial draft
17 of Senate Bill 6251.

18 13. Attached hereto as **EXHIBIT L** is a true and correct copy of the first
19 substitute of Senate Bill 6251.

20 14. Attached hereto as **EXHIBIT M** is a true and correct copy of the final
21 version of Senate Bill 6251.

22 15. Attached hereto as **EXHIBIT N** is a true and correct copy of a transcript of
23 the January 27, 2012 Senate hearing on Senate Bill 6251. My office prepared the transcript
24 by viewing a recording of the hearing on the TVW website.

25 16. Attached hereto as **EXHIBIT O** is a true and correct copy of an April 3,
26 2012 Salon.com report entitled "Will ID checks stop Backpage and child sex trafficking?,"
27 available at

1 [http://www.salon.com/2012/04/04/will_id_checks_stop_backpage_and_child_sex_trafficki](http://www.salon.com/2012/04/04/will_id_checks_stop_backpage_and_child_sex_trafficking/singleton/)
2 [ng/singleton/](http://www.salon.com/2012/04/04/will_id_checks_stop_backpage_and_child_sex_trafficking/singleton/). The exhibit omits those pages comprising comments to the report.

3 17. Attached hereto as **EXHIBIT P** is a true and correct copy of the text of a March
4 6, 2011 speech by Rob McKenna, available at <http://www.kirk.senate.gov/?p=blog&id=434>.

5 18. Attached hereto as **EXHIBIT Q** is a true and correct copy of a February 7,
6 2011 news article entitled “Study: Facebook replacing Craigslist for prostitutes,” available
7 at http://news.cnet.com/8301-17852_3-20030954-71.html. The exhibit omits those pages
8 comprising comments to the article.

9 19. Attached hereto as **EXHIBIT R** is a true and correct copy of a January 26,
10 2012 article entitled “Backpage Takes Heat, But Prostitution Ads Are Everywhere,”
11 available at [http://www.forbes.com/sites/danielfisher/2012/01/26/backpages-takes-heat-for-](http://www.forbes.com/sites/danielfisher/2012/01/26/backpages-takes-heat-for-prostitution-ads-that-are-everywhere/)
12 [prostitution-ads-that-are-everywhere/](http://www.forbes.com/sites/danielfisher/2012/01/26/backpages-takes-heat-for-prostitution-ads-that-are-everywhere/).

13 20. Attached hereto as **EXHIBIT S** is a true and correct copy of a May 24, 2012
14 article entitled “Sex ads: It isn’t just Backpage.com,” available at
15 http://www.salon.com/2012/05/24/sex_ads_it_isnt_just_backpage_com/singleton/. The
16 exhibit omits those pages comprising comments to the article. My firm obtained a copy of
17 the report cited in the article but its author has asked us to not make or distribute copies
18 because it is protected by copyright

19 21. Attached hereto as **EXHIBIT T** is a true and correct copy of Connecticut
20 General Assembly Substitute Bill 5504 from the 2012 session year.

21 22. Attached hereto as **EXHIBIT U** is a true and correct copy of a May 18, 2012
22 article entitled “Sex Trafficking in California: State and Tech Companies Build Alliances to
23 Combat Crime,” available at [http://www.huffingtonpost.com/2012/05/18/sex-trafficking-in-](http://www.huffingtonpost.com/2012/05/18/sex-trafficking-in-california_n_1528985.html)
24 [california_n_1528985.html](http://www.huffingtonpost.com/2012/05/18/sex-trafficking-in-california_n_1528985.html).

1 I declare under penalty of perjury of the laws of the United States that foregoing is
2 true and correct.

3 Signed at Seattle, Washington, this 4th day of June, 2012.

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5 s/ Ambika K. Doran

6 Ambika K. Doran
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